

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Freyman et al.	Confirmation No.:	8819
Serial No.:	10/645,653	Art Unit:	3767
Filed:	August 20, 2003	Examiner:	Witczak, Catherine
For:	MEDICAL DEVICE WITH DRUG DELIVERY MEMBER	Attorney Docket No.:	10177-169-999
		CAM No.:	008563-999166

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

**E-FILE**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

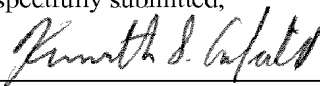
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 11, 2007 of the Primary Examiner finally rejecting claims 25-40 of the above-identified application.

The item(s) checked below are appropriate:

- ☒ An extension of time for responding to the final rejection for 1 month(s):  
☐ was filed on .  
☒ is submitted herewith.
- ☒ A timely response to the final rejection has been filed.
- ☒ A fee in the amount of **\$500.00** is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
- ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of **\$250.00** is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
- ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013.

Date: August 1, 2007

Respectfully submitted,



58,442

Kenneth S. Canfield

(Reg. No.)

For: Gidon D. Stern

(Reg. No. 27,469)

JONES DAY

222 East 41st Street

New York, New York 10017

(212) 326-3939